



South Atlantic Update

Published for fishermen & women and others interested in marine conservation

December, 1996

Snapper Grouper Amendment 8 Ready for Public Hearing

Hearings Scheduled for January 6-17, 1997, See Page 3 for Dates and Locations

"No matter which controlled access approach is used, there are always winners and losers due to overcapacity already existing in the fishery."

-Amendment 8

Development of Snapper Grouper Amendment 8 dates back to 1994, when the council received requests from the public to consider additional regulations for the snapper grouper fishery. Comments received during scoping meetings, held in June, August, and October, 1994, surfaced additional public concern, which became incorporated into management actions under consideration in Amendment 8 to the Snapper Grouper Fishery Management Plan.

Amendment 8 proposes specific management actions for five species in the snapper grouper complex: gag, red porgy, vermilion snapper, greater amberjack, and black sea bass. There are 18 actions in all, aimed at reducing fishing pressure by various means on all snapper grouper species (See the attachment at the back of this newsletter for specifics).

Proposed management in this document was initially divided into two separate amendments; 8 and 9. Amendment 8 dealt with an array of actions intended to aid ailing stocks, while Amendment 9 focused on a

limited entry program to reduce the number of vessels to a level the fishery could support. The ultimate management goal is to maintain a stock of spawning age fish survival rate that would achieve a 40 percent SPR (See below).

The council voted in August to combine the documents into one Amendment, incorporating effort control and limited entry actions, in order to reduce redundancy and ensure that management be implemented simultaneously.

The Snapper Grouper Committee and Advisory Panel have met on several occasions to fine-tune the document over the last year. The council also received input from the Scientific and Statistical Committee as well as the public during council meetings in April, June, August, and November, 1996. Public hearings, originally scheduled from October 15-24, were postponed to give the council time to make additional modifications to the amendment, and to allow the public more time to review the document.

The council will review and consider public comment received during the hearings before making final revisions and approving Amendment 8 for secretarial review at the meeting in February.

SPR stands for Spawning Potential Ratio. It is a measure of an average female's egg production over its lifetime compared to the number of eggs that could be expected if there was no fishing. When there is fishing pressure, a fish's life expectancy is reduced, and so is its average lifetime egg production. A species is considered overfished if its SPR drops below a level beyond which the ability of the stock to produce enough eggs to maintain itself is in jeopardy.

**PROTECT YOUR
NATIONAL MARINE
TREASURES**

**YOU CAN MAKE A
DIFFERENCE!**

To report a violation,
CALL

**NOAA FISHERIES ENFORCEMENT
HOTLINE
1-800-853-1964
24 hours a day, 7 days a week
ANYWHERE IN THE U.S.A.**

Information on rewards available



South Atlantic Council's 1997 Meeting Schedule

February 10-14, 1997

Comfort Inn

1515 N. 1st Street

Jacksonville Beach, Florida

April 14-18, 1997

Georgia (location to be announced)

June 16-20, 1997

Pier House

One Duval Street

Key West, Florida 33040

(305) 296-4600

August 18-22, 1997

Town & Country Inn

2008 Savannah Highway

Charleston, South Carolina 29407

(803) 571-1000

November 17-21, 1997

Wrightsville Beach, NC (location to be announced)

Welcome New Advisory Panel Members!

The council would like to welcome its newest advisory panel members:

James B. Harker IV of Morehead City, NC was appointed to the Snapper Grouper Advisory Panel, and

James M. Harvey of West Palm Beach, FL was appointed to the Habitat and Environmental Protection Advisory Panel's Florida sub-panel.

We are still looking for calico scallop harvesters to serve on the Calico Scallop Advisory Panel, and we have an opening on the Habitat and Environmental Advisory Panel for a North Carolina commercial representative. Deadline for applications is January 27. Please call the council office for more information 803-571-4366.

Acronyms

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Council Welcomes an Old Friend

The Atlantic States Marine Fisheries Commission in Washington DC has appointed George Lapointe as its new representative on the South Atlantic Council.

Lapointe and Jack Dunnigan share ASMFC responsibilities on the councils, and periodically switch positions to keep abreast of fisheries issues in the different regions.

Mr. Lapointe served on the South Atlantic Council from 1987-1988, and he currently also sits on the New England Council.

Mr. Dunnigan has resumed the ASMFC seat on the Mid-Atlantic Council.

ABC - Allowable Biological Catch
AP - Advisory Panel
ASMFC - Atlantic States Marine Fisheries Commission
BRD - Bycatch Reduction Device
EEZ - Exclusive Economic Zone
FMP - Fishery Management Plan
HAPC - Habitat Area of Particular Concern
ITQ - Individual Transferable Quota
MSY - Maximum Sustainable Yield
NOAA - National Oceanic and Atmospheric Administration
NMFS - National Marine Fisheries Service
OY - Optimum Yield
SMZ - Special Management Zone
SPR - Spawning Potential Ratio
SSC - Scientific and Statistical Committee
TAC - Total Allowable Catch
TED - Turtle Excluder Device





Definition:

The Exclusive Economic Zone (EEZ) is the U.S. federal boundary set by Congress in the Magnuson-Stevens Fishery Conservation and Management Act.

The South Atlantic EEZ boundaries are from three-200 miles off the coasts of NC, GA, SC and east Florida.

In this publication, we often refer to the EEZ as federal waters.

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It is further declared to be the Policy of the Congress in this Act...to assure that the national fishery conservation and management program utilizes, and is based upon, the best scientific information available; involves, and is responsive to the needs of, interested and affected States and citizens; considers efficiency; draws upon Federal, State, and academic capabilities in carrying out research, administration, management, and enforcement; considers the effects of fishing on immature fish and encourages development of practical measures that minimize bycatch and avoid unnecessary waste of fish; and

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is workable and effective...

-Magnuson-Stevens
Fishery Conservation and
Management Act, Public Law
104-208, 1996

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Council Announces Schedule For Snapper Grouper Public Hearings on Amendment 8:

The South Atlantic Fishery Management Council is holding public hearings for Amendment 8 to the Fishery Management Plan for Snapper Grouper. For a list of proposed actions and options, please see the snapper grouper attachment at the end of this newsletter. All hearings are scheduled to begin at 7:00 p.m. and will end when all business is complete.

Council staff members will be available at the hearing locations from 6 pm to 7 pm for a question/answer session on Amendment 8. The public is encouraged to attend.

Monday, January 6, 1997

Pooler, Georgia

Ramada Inn/301 Governor Treutlen Drive
Pooler, GA; telephone: 912-748-6464

Tuesday, January 7, 1997

Jacksonville Beach, Florida

Comfort Inn Oceanfront/1515 N 1st Street
Jacksonville Beach, FL; telephone: 904-241-2311

Wednesday, January 8, 1997

Cocoa Beach, Florida

Holiday Inn/1300 N. Atlantic Avenue
Cocoa Beach, FL; telephone: 407-783-2271

Thursday, January 9, 1997

West Palm Beach, Florida

Sheraton Hotel/630 Clearwater Park Road
West Palm Beach, FL; telephone: 561-833-1234

Friday, January 10, 1997

Marathon, Florida

Banana Bay Resort/4590 Overseas Highway
Marathon, FL; telephone: 305-743-3500

Monday, January 13, 1997

Charleston, South Carolina

Town & Country Inn/2008 Savannah Highway
Charleston, SC; telephone: 803-571-1000

Tuesday, January 14, 1997

Kill Devil Hills, North Carolina

Holiday Inn/1601 Virginia Dare Trail
Kill Devil Hills, NC; telephone: 919-441-6333

Wednesday, January 15, 1997

Atlantic Beach, North Carolina

Sheraton Resort/Salter Path Road
Atlantic Beach, NC; telephone: 919-240-1155

Thursday, January 16, 1997

Wilmington, North Carolina

Holiday Inn/4903 Market Street
Wilmington, NC; telephone: 910-799-1440

Friday, January 17, 1997

Myrtle Beach, South Carolina

Myrtle Beach Martinique Resort Hotel
7100 N. Ocean Blvd., Myrtle Beach, SC;
telephone: 803-449-4441





Marsha Hass Joins South Atlantic Council

Marsha Hass says she's been "hooked" on fishing since she caught her first spottail bass with a safety pin at age 4. Ms. Hass of Charleston, South Carolina, replaced John Floyd on the council in August.

Ms. Hass has been a professor of legal studies since 1976 at the College of Charleston, where she is currently a tenured, full professor. Her 11 year stint in private practice, where she specialized in employment discrimination, led to her current position as director of women's studies at C of C.

Being an educator allows Marsha to run charters during the Summer on her 28-foot boat when school is not in session. She founded Marsh Grass Charters in 1987 as a hobby she said, because she enjoys watching people catch fish as much as she enjoys catching them herself. She has tested a variety of careers, including a physical education coach, an economics teacher, a lawyer, and a city judge. She graduated from Clemson University, and earned her J.D. degree from the University of South Carolina.

Ms. Hass says she would like to clearly distinguish that, from a lawyer's perspective, the council's client is the fish, not the people.



"I don't think it's quite clear to the public who or what the council represents," she said. "Many people believe it is the council's job to protect the fishermen, but congressional intent was for the councils to protect the fish. This will ultimately protect the fishermen. People have to realize, the council has to make long-term decisions," she said.

She understands these long-term decisions hurt businesses, including her own. "If I save the fish, I hurt the charterboat industry in the short-term," she said.

One current management issue is whether or not the council will continue to allow the sale of recreationally-caught fish. Ms. Hass believes it doesn't make a difference who catches the fish, it's better to sell them than throw them in the trash. "Being a lawyer, I have a hard time with the concept that commercial fishermen may have the right to sell fish, while recreational fishermen do not. That's denial of equal protection," she said.

Ms. Hass said the decrease in numbers of fish in the ocean is obvious. "In 1982 I could load the boat with red porgy and various groupers. Now you just don't see them, and there are hardly any bottomfish charters left," she said. She says due to quotas and other conservation measures, however, she can see an increase in the numbers of billfish and some other species.

When asked what she sees as the biggest problem in fisheries management, Ms. Hass said the government is too involved in micro-management. "I would like to see the authority given back to the council so we can do whatever is necessary to save the fish," she said.

Ms. Hass is a member of the South Carolina Bar Association, and served as national president of the Academy of Legal Studies in Business in 1994. She resides in Charleston, South Carolina.





Golden Crab Permits Issued

The National Marine Fisheries Service issued 34 vessel permits and 13 dealer permits in the South Atlantic region for the golden crab fishery. The final rule was published in the Federal Register on August 27, 1996, and fishermen were given until September 26 to mail in applications.

According to Andrew Kemmerer, Southeast Regional Administrator of the National Marine Fisheries Service, of the 120 applications sent to fishermen, 51 were completed and returned. Of these, 34 were issued permits. The breakdown of those who qualify is as follows:

***Two permits for the northern zone, with an 82-foot average vessel length;**

***Six permits for the middle zone, with a 51-foot average vessel length;**

***Twenty six permits for the southern zone, with a 58-foot average vessel length.**

Of the 39 dealer applications mailed, 13 were completed and returned. All of these qualify for golden crab dealer permits.

The appeals board heard six appeals on November 18, 1996. Of these, one was recommended for approval and the others either did not return their applications in time, or did not meet the criteria for qualification.

Councils Vote to Remove Spiny Lobster Control Date

The South Atlantic and Gulf of Mexico Fishery Management Councils have concurred to remove the January 15, 1986 control date for the spiny lobster fishery.

Currently about 450 spiny lobster fishermen hold federal permits. The councils agreed that a limited entry system is not needed in federal waters since the fishery is mainly concentrated in Florida State waters, where there is already a trap limitation program in place. Fishermen may fish in federal waters off Florida with the state permit.

The National Marine Fisheries Service had proposed to withdraw federal spiny lobster management, but overwhelming negative public comment prompted NMFS to leave lobster management in federal waters in place.

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A control date may be used by the council when establishing a limited entry program for a particular fishery. Anyone who enters the fishery after the specified date may not be guaranteed future access should a limited entry program be adopted and implemented through Magnuson-Stevens Act procedures.
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NMFS Announces New Tuna Permit Issuance Procedures



All current federal tuna permits will expire on December 31, 1996.

Beginning December 31, NMFS will implement a new procedure for issuing tuna permits, which will require tuna permit holders to renew their permits annually.

In the past, permits were valid for three years and were renewed on a rolling basis. Under the new procedure, permits will not be automatically renewed, and they will have to be renewed every year. This affects all tuna permit holders, even if your current permit is not supposed to expire until 1998.

All current permit holders will receive a packet from NMFS indicating the new procedure. Permits can be renewed via post, internet or telephone.

For more information call 301-713-2347.

Even if your tuna permit is supposed to be valid until 1998, it must be renewed by December 31, 1996 under the new permit issuance procedure.





Landings Updates

King Mackerel Catches

The National Marine Fisheries Service predicts commercial king mackerel catches will come close to reaching this year's 2.52 million pound quota.

The latest data shows this year's landings to be at 1,631,086 pounds so far, which is higher than last year, despite harsher weather patterns. The commercial fishing year ends on March 31.

Aquacultured Live Rock

There are currently three approved federal aquacultured liverock sites in the South Atlantic, incorporating 2.7 acres.

There are no landings recorded for the South Atlantic, but 63,500 pounds of various types of rock have been deposited.

Sargassum Weed

Since June, 1995, about 33,000 pounds of sargassum weed have been harvested from the South Atlantic EEZ.

NMFS Lowers Atlantic Bluefin Bag Limit

Effective January 1, 1997, the recreational daily bag limit for Atlantic bluefin tuna will be one fish from the school, large school, or small medium size class.

Charter/headboat and general category vessels when engaged in recreational fishing are subject to the same rules.

This action is intended to lengthen the fishing season and ensure reasonable fishing opportunities in all geographic areas without risking overharvest, according to William T. Hogarth, Acting Chief of the NMFS Highly Migratory Species Management Division.

Landings reported in the southern area in February and March 1996 caused the recreational fishery to be closed earlier than usual this year.

Enforcement Fix-It Program Gives Fishermen a Second Chance

In response to presidential and congressional directives to allow fisheries violators to correct the violation, NMFS law enforcement has implemented the Fix-It Program.

Under the new system, those found in violation of certain fisheries regulations will be given the opportunity to correct the offense within 30 days without being prosecuted. If the violation is not corrected, the violator is subject to further action from the NOAA office of General Counsel.

Violations considered appropriate for this program include: improper gear or vessel identification, various gear violations, including trap construction, some net size violations, failure to submit some permit information, and failure to display an already-issued permit.

Due to budgetary constraints, the NOAA Office of General Counsel lacks necessary resources to prosecute every case it receives. The Fix-It program should alleviate some of the backlog, and allow the three Southeast NOAA attorneys to prosecute the more serious offenses in a timely manner.

Council to Finalize BRD Testing Protocol

As follow-up to Amendment 2 to the Shrimp Fishery Management Plan, which requires the use of bycatch reduction devices in shrimp trawls, the council will finalize the testing protocol for new or modified BRDs in February.

BRDs are trawl modifications which are intended to reduce Spanish mackerel and weakfish bycatch in the shrimp fishery by 40 percent. Currently, the only BRDs tested and approved for use in the South Atlantic EEZ are large mesh, extended funnel, and fish eyes.

The testing protocol will provide industry with guidelines in creating new, more efficient BRDs, or modifying existing ones. It is designed to minimize testing costs, while ensuring adequate sampling is completed to evaluate the effectiveness of the new gear.

The testing protocol is expected to be final in conjunction with secretarial approval of Amendment 2 in March.

"The offices of general council for enforcement and litigation and law enforcement have combined forces to redirect effort in order to get the biggest bang for the buck."

**-Karen Raine,
NOAA Senior Enforcement Attorney, Southeast region.**



The next council meeting will be held in Jacksonville Beach, Florida From February 10-14, 1997. The preliminary agenda is as follows:

1. The Snapper Grouper and Controlled Access Committees will meet to review Amendment 8 comments and modify the Amendment, as needed. The committees will then approve the amendment for formal secretarial review.
2. The Snapper Grouper and Wreckfish Advisory Panels will meet to review the Wreckfish Assessment and make recommendations for the wreckfish quota and other framework modifications.
3. The Advisory Panel Selection Committee will meet to review applications and recommend advisory panel member appointments.
4. The Shrimp Committee will meet to finalize bycatch reduction device protocol.
5. The full council will meet to hear the status of Atlantic king and Spanish mackerel, as well as the status of Amendment 8 to the Mackerel FMP; Approve Snapper Grouper Amendment 8 for formal secretarial review; Approve the wreckfish quota and other framework actions; Appoint advisory panel members; Hear a report on the status of implementation of the Golden Crab Fishery Management Plan; and receive the Law Enforcement Committee report.

The next council meeting
will be held at:

Comfort Inn
1515 N. 1st Street
Jacksonville Beach, FL
February 10-14

HAPPY HOLIDAYS AND BEST WISHES FOR THE NEW YEAR !!!



FROM SOUTH ATLANTIC COUNCIL MEMBERS AND STAFF.



The council office will be closed
on Monday, December 25 and
Monday, January 1 in observance of
the holidays.



Please contact the following state agencies for regulations up to three miles offshore (state waters) in the South Atlantic:

Florida Marine Fisheries Commission
2540 Executive Center Circle West, Suite 106
Tallahassee, FL 32301
(904) 487-0554

Georgia Department of Natural Resources
Coastal Resources Division
One Conservation Way
Brunswick, GA 31523-8600
(912) 264-7218

North Carolina Division of Marine Fisheries
P.O. Box 769
Morehead City, NC 28557
(919) 726-7021

South Carolina Department of Natural Resources
Marine Resources Division
P.O. Box 12559
Charleston, SC 29412
(803) 795-6350

The South Atlantic Council, one of eight U.S. regional fishery management councils, establishes conservation measures to ensure the viability of marine resources in federal waters (from three to two hundred nautical miles) off the coasts of North Carolina, South Carolina, Georgia and east Florida. Fishery Management Plans prepared by the council are designed to produce optimum yield, while preventing overfishing of our valuable resources. Council staff is available to answer questions during business hours by telephone at (803) 571-4366; by FAX at (803) 769-4520; or by E-Mail at safmc@safmc.nmfs.gov.

Editor's Note

The South Atlantic Update is published by the South Atlantic Fishery Management Council. Its purpose is to report developments in fisheries management that would be of interest to its readers. Please credit the council when reprinting articles used in this newsletter. Anyone wishing to submit information or articles pertaining to fishing or fisheries management, or letters to the editor on a pertinent issue, is invited and encouraged to do so. Submissions may be mailed to Susan Buchanan, Editor, South Atlantic Update, One Southpark Circle, Suite 306, Charleston, SC 29407-4699, or may be sent via the internet; Email address: Susan_Buchanan@safmc.nmfs.gov



A publication of the South Atlantic Fishery Management Council pursuant to National Oceanic and Atmospheric Administration Award No. NA67FC0003.

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Featured in This Issue:

| | |
|--|------|
| Snapper Grouper Amendment 8 Approved for Public Hearing | p. 1 |
| South Atlantic Council's 1997 Meeting Schedule | p. 2 |
| Advisory Panel Applicants Sought | p. 2 |
| Snapper Grouper Amendment 8 Public Hearing Schedule | p. 3 |
| Council Welcomes New Member, Marsha Hass | p. 4 |
| Golden Crab Permits Issued | p. 5 |
| Council Votes to Remove Spiny Lobster Control Date | p. 5 |
| New Tuna Permit Issuance Procedures | p. 5 |
| Landings Updates | p. 6 |
| Atlantic Bluefin Bag Limit Lowered | p. 6 |
| Council to Finalize BRD Testing Protocol | p. 6 |
| Council Holds Law Enforcement Meeting | p. 6 |
| Council's February Meeting Preliminary Agenda | p. 7 |
| Snapper Grouper Amendment 8 Actions and Options Attachment | |

**SEE PAGE 3 FOR THE SNAPPER
GROUPE AMENDMENT 8
PUBLIC HEARING SCHEDULE**



**"The management goal is to select a
system that will provide the most benefit to
society and at the same time ensure optimum
use of the resource in the long run while
minimizing impacts on fishermen."**

-Snapper Grouper Amendment 8